



House of Representatives

General Assembly

File No. 39

January Session, 2015

House Bill No. 6724

House of Representatives, March 10, 2015

The Committee on Children reported through REP. URBAN of the 43rd Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO THE DEPARTMENT OF CHILDREN AND FAMILIES STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (d) of section 17a-11 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2015*):

4 (d) (1) Ten months after admitting a child or youth on a voluntary
5 basis and annually thereafter if the child or youth remains in the
6 custody of the commissioner and remains placed in a foster home
7 licensed pursuant to section 17a-114 or a facility licensed pursuant to
8 section 17a-145, the commissioner shall file a motion for review of a
9 permanency plan. A hearing on such motion shall be held not later
10 than thirty days after the filing of such motion. The court shall provide
11 notice to the child or youth and such child's or youth's parent or
12 guardian of the time and place of the hearing on such motion not less
13 than ten days prior to the date of such hearing.

14 (2) At a permanency hearing held in accordance with the provisions
15 of subdivision (1) of this subsection, the court shall approve a
16 permanency plan that is in the best interests of the child or youth and
17 takes into consideration the child's or youth's need for permanency.
18 The health and safety of the child or youth shall be of paramount
19 concern in formulating such plan. At such hearing, the court shall
20 consider among other things: (A) The appropriateness of the
21 department's plan for service to the child or youth and his or her
22 family; (B) the treatment and support services that have been offered
23 and provided to the child or youth to strengthen and reunite the
24 family; (C) if return home is not likely for the child or youth, the efforts
25 that have been made or should be made to evaluate and plan for other
26 modes of care; and (D) any further efforts [which] that have been or
27 will be made to promote the best interests of the child or youth.

28 (3) The permanency plan pursuant to subdivision (2) of this
29 subsection may include the goal of (A) placement of the child or youth
30 with the parent or guardian, (B) transfer of guardianship, (C) long-
31 term foster care with a relative licensed as a foster parent, [or certified
32 as a relative caregiver,] (D) termination of parental rights and
33 adoption, or (E) such other planned permanent living arrangement
34 ordered by the court provided the commissioner has documented a
35 compelling reason why it would not be in the best interest of the child
36 or youth for the permanency plan to include the goals in
37 subparagraphs (A) to (D), inclusive, of this subdivision. Such other
38 planned permanent living arrangement may include, but not be
39 limited to, placement of a child or youth in an independent living
40 program or long-term foster care with an identified foster parent.

41 (4) At a permanency hearing, the court shall review the status of the
42 child or youth and the progress being made to implement the
43 permanency plan, determine a timetable for attaining the permanency
44 prescribed by the plan and determine whether the commissioner has
45 made reasonable efforts to achieve the permanency plan. At the
46 conclusion of the hearing, the court may: (A) Direct that the services
47 being provided, or the placement of the child or youth and

48 reunification efforts, be continued if the court, after hearing,
49 determines that continuation of the child or youth in services or
50 placement is in the child's or youth's best interests, or (B) direct that the
51 child's or youth's services or placement be modified to reflect the
52 child's or youth's best interest.

53 Sec. 2. Subdivision (13) of section 17a-93 of the general statutes is
54 repealed and the following is substituted in lieu thereof (*Effective*
55 *October 1, 2015*):

56 (13) "Foster family" means a person or persons, licensed [or
57 certified] by the Department of Children and Families or approved by
58 a licensed child-placing agency, for the care of a child or children in a
59 private home;

60 Sec. 3. Subsection (c) of section 17a-111b of the general statutes is
61 repealed and the following is substituted in lieu thereof (*Effective*
62 *October 1, 2015*):

63 (c) If the court determines that such efforts are not required, the
64 court shall, at such hearing or at a hearing held not later than thirty
65 days after such determination, approve a permanency plan for such
66 child. The plan may include (1) adoption and a requirement that the
67 commissioner file a petition to terminate parental rights, (2) long-term
68 foster care with a relative licensed as a foster parent, [or certified as a
69 relative caregiver,] (3) transfer of guardianship, or (4) such other
70 planned permanent living arrangement as may be ordered by the
71 court, provided the commissioner has documented a compelling
72 reason why it would not be in the best interests of the child for the
73 permanency plan to include one of the options set forth in subdivisions
74 (1) to (3), inclusive, of this subsection. The child's health and safety
75 shall be of paramount concern in formulating such plan.

76 Sec. 4. Section 17a-114a of the general statutes is repealed and the
77 following is substituted in lieu thereof (*Effective October 1, 2015*):

78 A person licensed [or certified] pursuant to section 17a-114 shall be

79 liable for any act or omission resulting in personal injury to a child
80 placed in his care by the Commissioner of Children and Families to the
81 same extent as a biological parent is liable for any act or omission
82 resulting in personal injury to a biological child in his care.

83 Sec. 5. Section 17a-106e of the general statutes is repealed and the
84 following is substituted in lieu thereof (*Effective from passage*):

85 (a) (1) On and after October 1, 2013, the Department of Children and
86 Families shall, within available appropriations, ensure that each child
87 thirty-six months of age or younger who has been substantiated as a
88 victim of abuse or neglect is screened for both developmental and
89 social-emotional delays using validated assessment tools such as the
90 Ages and Stages and the Ages and Stages-Social/Emotional
91 Questionnaires, or their equivalents. The department shall ensure that
92 such screenings are administered to any such child twice annually,
93 unless such child has been found to be eligible for the birth-to-three
94 program, established under section 17a-248b.

95 (2) On and after July 1, 2015, the department shall ensure that each
96 child thirty-six months of age or younger who is being served through
97 the department's [differential] family assessment response program,
98 established under section 17a-101g, is screened for both developmental
99 and social-emotional delays using validated assessment tools such as
100 the Ages and Stages and the Ages and Stages-Social/Emotional
101 Questionnaires, or their equivalents, unless such child has been found
102 to be eligible for the birth-to-three program.

103 (b) The department shall refer any child exhibiting developmental
104 or social-emotional delays pursuant to such screenings to the birth-to-
105 three program. The department shall refer any child who is not found
106 eligible for services under the birth-to-three program to the Help Me
107 Grow prevention program of the Children's Trust Fund or a similar
108 program [which] that the department deems appropriate.

109 (c) Not later than July 1, 2014, and annually thereafter, the
110 department shall submit, in accordance with the provisions of section

111 11-4a, a report to the joint standing committee of the General Assembly
112 having cognizance of matters relating to children for inclusion in the
113 annual report card prepared pursuant to section 2-53m on the status of
114 the screening and referral program authorized pursuant to subsection
115 (a) of this section. Such report shall include: (1) The number of children
116 thirty-six months of age or younger within the state who have been
117 substantiated as victims of abuse or neglect within the preceding
118 twelve months; (2) the number of children thirty-six months of age or
119 younger within the state who have been served through the
120 department's [differential] family assessment response program within
121 the preceding twelve months; (3) the number of children who were
122 screened for developmental and social-emotional delays pursuant to
123 subsection (a) of this section by the department or by a provider
124 contracted by the department within the preceding twelve months; (4)
125 the number of children in subdivisions (1) and (2) of this subsection
126 referred for evaluation under the birth-to-three program within the
127 preceding twelve months, the number of such children actually
128 evaluated under such program, the number of such children found
129 eligible for services under such program and the services for which
130 such children were found eligible under such program; and (5) the
131 number of children described in subdivisions (1) and (2) of this
132 subsection receiving evidence-based developmental support services
133 through the birth-to-three program or through a provider contracted
134 by the department within the preceding twelve months.

135 Sec. 6. Section 17a-44 of the general statutes is repealed and the
136 following is substituted in lieu thereof (*Effective October 1, 2015*):

137 (a) The photo-listing service shall quarterly check the status of
138 photo-listed children for whom inquiries have been received. Periodic
139 checks shall be made by such service to determine the progress toward
140 adoption of such children and the status of those children registered
141 but never photo-listed because of placement in a preadoptive or
142 adoptive home prior to or at the time of registration.

143 (b) The commissioner shall refer appropriate children to national

144 adoption or permanency resource exchanges when an adoptive family
 145 has not been identified within one hundred eighty days of the
 146 termination of the parental rights. The commissioner shall establish
 147 criteria by which a determination may be made that a referral to
 148 national exchanges is not necessary, and the commissioner shall
 149 monitor the status of those children not referred.

150 Sec. 7. Section 17a-110b of the general statutes is repealed and the
 151 following is substituted in lieu thereof (*Effective October 1, 2015*):

152 The Commissioner of Children and Families shall, within available
 153 appropriations, establish [an adoption] a permanency resource
 154 exchange in this state within the Department of Children and Families.
 155 The primary purpose of the exchange shall be to link children who are
 156 awaiting placement with permanent families by providing information
 157 and referral services and by the recruitment of potential adoptive
 158 families or families interested in pursuing guardianship of such
 159 children. The department and each child-placing agency shall register
 160 any child who is free for adoption with such [adoption] permanency
 161 resource exchange.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2015</i>	17a-11(d)
Sec. 2	<i>October 1, 2015</i>	17a-93(13)
Sec. 3	<i>October 1, 2015</i>	17a-111b(c)
Sec. 4	<i>October 1, 2015</i>	17a-114a
Sec. 5	<i>from passage</i>	17a-106e
Sec. 6	<i>October 1, 2015</i>	17a-44
Sec. 7	<i>October 1, 2015</i>	17a-110b

KID *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill does not result in a fiscal impact to the Department of Children and Families. It makes minor and technical changes to statutes involving the agency.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6724*****AN ACT CONCERNING TECHNICAL AND MINOR REVISIONS TO THE DEPARTMENT OF CHILDREN AND FAMILIES STATUTES.*****SUMMARY:**

This bill renames the Department of Children and Families' (DCF) "adoption resource exchange" as the "permanency resource exchange," and it expands its purpose to include recruitment of families seeking to become guardians of children awaiting placement. Under current law, the adoption resource exchange links children with permanent families by providing information and referral services and recruiting potential adoptive families.

The bill replaces references to DCF's "differential response program" with references to the "family assessment response program" to reflect the program's current name. It also eliminates obsolete references to "certified relative caregivers." DCF stopped new placement of children with certified relatives in 2001 because those placements did not qualify for federal reimbursement.

The bill also makes technical changes.

EFFECTIVE DATE: October 1, 2015, except the provision replacing the differential response program with the family assessment response program is effective on passage.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 10 Nay 0 (02/26/2015)